

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

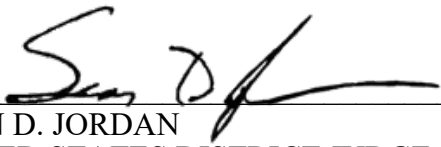
DEVIN CUMMINGS,	§	
	§	
v.	§	CIVIL ACTION NO. 4:20-CV-00207-
	§	SDJ-AGD
OFFICER WEBB, ET AL.	§	

**MEMORANDUM ADOPTING THE REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On August 20, 2024, the Report and Recommendation of the Magistrate Judge, (Dkt. #44), was entered containing proposed findings of fact and the recommendation that Defendants’ Opposed Motion to Reopen Case, (Dkt. #39), and Opposed Motion to Dismiss for Lack of Prosecution, (Dkt. #40), be granted. No Party filed objections to the Report. Having assessed the Report and the record in this case, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. Accordingly,

It is therefore **ORDERED** that Defendants’ Opposed Motion to Reopen Case, (Dkt. #39), is **GRANTED**, and the stay is **LIFTED**. It is further **ORDERED** that Defendants’ Opposed Motion to Dismiss for Lack of Prosecution, (Dkt. #40), is **GRANTED**. It is finally **ORDERED** that Plaintiff’s claims are **DISMISSED WITHOUT PREJUDICE**.

So ORDERED and SIGNED this 13th day of September, 2024.



SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE